

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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TARIQ JABRI, and FALON CHARLES-	:	
JABRI,	:	<b>Civil Action No. 22-7448 (JXN) (AME)</b>
	:	
Plaintiffs,	:	<b>and</b>
	:	
v.	:	<b>Civil Action No. 23-600 (JXN) (AME)</b>
	:	
MARILYN GONZALEZ a/k/a BRANCH	:	<b>OPINION</b>
MANAGER FOR CAPITAL ONE BANK,	:	
and RICHARD D. FAIRBANK CAPITAL	:	
ONE CHAIRMAN AND CEO.	:	

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TARIQ JABRI, and FALON CHARLES-	:
JABRI,	:
	:
Plaintiffs,	:
	:
v.	:
	:
MARILYN GONZALEZ a/k/a BRANCH	:
MANAGER FOR CAPITAL ONE BANK,	:
and RICHARD D. FAIRBANK CAPITAL	:
ONE CHAIRMAN AND CEO,	:
	:
Defendants.	:

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NEALS, District Judge:

1. On December 15, 2023, the Court granted Defendant Richard Fairbanks Capital One Chairman and CEO’s (together, the “Defendants”) motion to dismiss (ECF No. 7) *pro se* Plaintiffs Tariq Jabri and Falon Charles-Jabri’s (together, the “Plaintiffs”) amended complaint (ECF No. 6-2) (the “Amended Complaint”); and dismissed the Amended Complaint without prejudice. (ECF Nos. 16-17). Plaintiffs had 60 days from the Court’s Order, or until February 16, 2024, to effect proper service of process. (ECF No. 17).

2. To date, Plaintiffs have not made proper service. To that end, Defendants request that the Court dismiss the Amended Complaint with prejudice because Plaintiffs failed to make proper service. (ECF No. 26). Plaintiffs also filed a motion for default judgment (ECF No. 18), which Defendants opposed (ECF No. 19).

Accordingly, for all the foregoing reasons, it is hereby,

**ORDERED** that because Plaintiff did not make proper service within the allotted time, the Amended Complaint is **DISMISSED with prejudice**; it is further

**ORDERED** that Plaintiffs' motion for default judgment (ECF No. 18) is denied because default was not entered against Defendants; it is further

**ORDERED** that Plaintiffs' "Notice of Forum Shopping" (ECF No. 25) is denied to the extent it is a separate motion; it is further

**ORDERED** that Defendants' motion to dismiss and opposition to Plaintiffs' motion for default judgment (ECF No. 19) is denied as moot; and it is further

**ORDERED** that the Clerk of Court shall **CLOSE** this matter.

DATED: 4/24/2024

s/ Julien Xavier Neals  
**JULIEN XAVIER NEALS**  
United States District Judge